



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3003649

**Applicant Name:** Chad Lorentz, Runberg Architecture Group for SRM Development and Merrill Gardens

**Address of Proposal:** 5101 25<sup>th</sup> Ave NE

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow one 4-story building containing 122 assisted living units and one 3-story building containing 23,610 sq. ft. of retail and 103 residential units. Both structures are to be over a common garage, mostly below grade parking garage for 255 vehicles, to be accessed from Ravenna Pl NE. Project includes 25,000 cu. yds. of grading. Existing structures are to be demolished.

The following approvals are required:

**Design Review** – SMC Chapter [23.41](#), involving design departures from the following Land Use Code development standards:

- SMC [23.45.011](#), structure width / depth;
- SMC [23.45.014 C](#), side setbacks;
- SMC [23.45.010](#), maximum lot coverage;
- SMC [23.47.008 D](#), residential lot coverage.
- SMC [23.54.035](#), loading berth space standards

**SEPA** - Environmental Determination – SMC Chapter [25.05](#).

**SEPA DETERMINATION:**

☐ Exempt    ☒ DNS<sup>1</sup>    ☐ MDNS    ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

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<sup>1</sup> Early DNS published July 20, 2006.

## **BACKGROUND INFORMATION**

### **Project Description**

The applicant proposes a nearly full-block development consisting of two structures above a mostly-subgrade parking garage. The west-facing apartments would contain 122 senior housing units, and the east-facing mixed use structures would contain 103 apartments above a commercial ground level. The design intent is that the structures seem like four separate apartment buildings joined by glassy “bridges” and four mixed use buildings, similarly attached. The project provides parking for 255 vehicles below grade, to be accessed from the Ravenna Place NE.

### **Vicinity and Site**

The site is located in the Ravenna Springs neighborhood and is bounded by 25<sup>th</sup> Avenue on the east, NE 54<sup>th</sup> St on the north, 24<sup>th</sup> Ave NE on the west, Ravenna Pl NE on the southwest, and NE Blakely St on the south. The site encompasses nearly the entire block. One lot is excluded, midblock on Ravenna Pl NE, occupied by a residential condominium. 25<sup>th</sup> Ave NE is a principal arterial, Ravenna Pl NE and NE Blakely St are collector arterials at the site. The Burke Gilman Trail runs along the south side of Blakely St.

The site is located in the low ground of a basin, apparently once the bed of Ravenna Creek, rising westward toward the University Heights neighborhood, eastward toward the Bryant neighborhood, and gradually northward toward Ravenna Park. The property is located in the University Urban Center Village.

The site is split-zoned. The eastern portion along 25<sup>th</sup> Ave NE is zoned Neighborhood Commercial 2 with a 30-foot base height limit (NC2-30, see Figure 2) and a Pedestrian 2 (P2) overlay. The western portion along 24<sup>th</sup> Ave NE and Ravenna Pl NE is zoned residential Lowrise 4 (L4). Properties along 25<sup>th</sup> Ave NE are also zoned NC2-30, transitioning to NC2-40 and then immediately to Single Family with a 5000 sq.ft. minimum lot size (SF 5000). Properties to the south across NE Blakely St are zoned Commercial 1 with a 40-foot base height limit (C1-40), transitioning to a Major Institutional Overlay (MIO) associated with the University of Washington. To the southwest across Ravenna Pl NE is zoned residential Lowrise 3 (L3). Properties to the north across NE 54<sup>th</sup> St. are zoned L4 with a Residential/Commercial overlay (L4 RC). Neighbors have pointed out that the site and vicinity were subject to a 1998

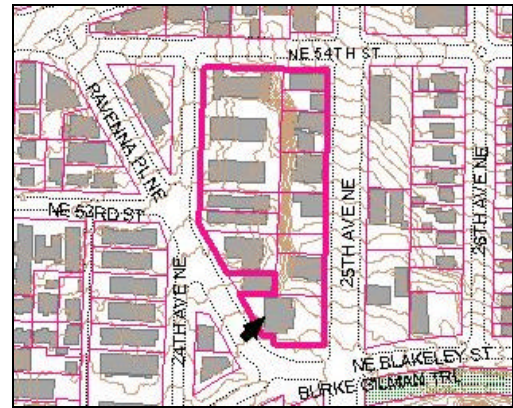


Figure 1. Local topography



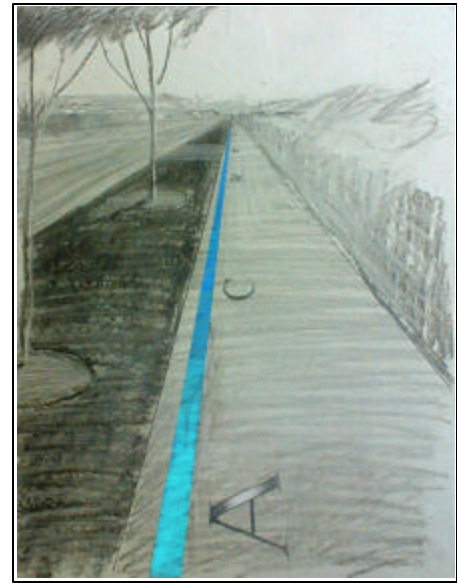
Figure 2. Vicinity Zoning



Figure 3. Aerial View

rezone (Ordinance [119235](#)), product of [neighborhood planning](#), which upzoned the western half of the site, downzoned the eastern half, and introduced the P2 overlay.

Development in the vicinity reflects its zoning, though most does not approach full zoning potential, suggesting that the area could experience substantial future redevelopment. The 25<sup>th</sup> Ave NE corridor is heavily auto-oriented and is characterized by low commercial buildings in varying states of repair. On either side of the corridor are residential neighborhoods, primarily midcentury apartment buildings to the west and single family homes to the east. New development projects include [Nordheim Court](#) (5000 25<sup>th</sup> Ave NE, 146 undergraduate apartments) and [Northcut Landing](#) (5001 25<sup>th</sup> Avenue, office and retail structures). The Burke Gilman trail passes within 100' of the south property line, and the southern boundary of Ravenna Park is less than 300' from the site's northwest corner.



**Figure 4.** Public art in sidewalk

The site is irregularly shaped, measuring about 530' along 25<sup>th</sup> Ave NE and about 250' at its widest along NW 54<sup>th</sup> St. There is no alley. Assuming inclusion of the northeast corner, the site is about 115,000 sq.ft., or about 2.6 acres. The site generally slopes down northeast to southwest, and there is a substantial topographic break of about 15-20' that divides the high east side from the lower west side (See Figure 1). The intervening ridge is considered to be an Environmentally Critical Area, where development is permitted pursuant to Seattle Municipal Code (SMC) [25.09.180](#). Portions of the site are also designated as prone to earthquake liquefaction, due to the presence of fill materials.

The site is currently occupied by a convenience store, restaurants, an animal clinic, insurance agencies, a catering business, and several low apartment buildings. There is also a billboard located on the eastern edge of the site. All structures are proposed to be demolished. Much of the site is paved, and the center of the site is dominated by a blackberry thicket. Formal landscaping associated with the apartment buildings is relatively low, with the exception of a few mature deciduous trees. Street trees line 25<sup>th</sup> Ave NE (Littleleaf and Mongolian Lindens). There are sidewalks around the full periphery of the site. Where curbs exist, they are regularly interrupted by wide driveways and associated curbcuts. A public art project by San Francisco artist Mark Brest van Kempen has recently been installed in the pavement along 24<sup>th</sup> Ave NE and Ravenna Pl NE (see Figure 4).

The site is served by public transit. Metro routes 68 and 74, among others, pass nearby the site.

### **ANALYSIS OF THE DIRECTOR – DESIGN REVIEW**

The Early Design Guidance meeting took place on March 6, 2006, in Room 106 of the University Heights Community Center. The applicant submitted a complete Master Use Permit (MUP) application on June 16, 2006. The Recommendations meeting took place on August 21, 2006, again in the University Heights Community Center. This report summarizes the design review findings. For a more complete overview of the Board's Early Design Guidance and Recommendations, please refer to the project file.

## **Guidelines**

After visiting the site, considering the analysis of the site and context provided by the proponents and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines of highest priority to this project, found in the City of Seattle's [\*Design Review: Guidelines for Multifamily and Commercial Buildings\*](#). In addition, Board members considered the project in relation to the [\*University Community Design Review Guidelines\*](#) (stated below, where applicable).

### **A. Site Planning**

#### **A-1 Responding to Site Characteristics**

*The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.*

#### **A-2 Streetscape Compatibility**

*The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.*

#### **A-3 Entrances Visible from the Street**

*Entries should be clearly identifiable and visible from the street.*

**U-Community Guideline.** *When a courtyard is proposed for a residential project, the courtyard should have at least one entry from the street. Units facing the courtyard should have a porch, stoop, deck or seating area associated with the dwelling unit.*

#### **A-4 Human Activity**

*New development should be sited and designed to encourage human activity on the street.*

**U-Community Guideline:** *On Mixed Use Corridors, where narrow sidewalks exist (less than 15' wide), consider recessing entries to provide small open spaces for sitting, street musicians, bus waiting, or other pedestrian activities. Recessed entries should promote pedestrian movement and avoid blind corners.*

#### **A-5 Respect for Adjacent Sites**

*Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings*

**U-Community Guideline:** *Special attention should be paid to projects in the zone edge areas as depicted in Map 2 to ensure impacts to Lowrise zones are minimized as described in A-5 of the Citywide Design Guidelines.*

#### **A-6 Transition Between Residence and Street**

*For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.*

#### **A-7 Residential Open Space**

*Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.*



***U-Community Guideline:*** *The ground-level open space should be designed as a plaza, courtyard, play area, mini-park, pedestrian open space, garden, or similar occupiable site feature. The quantity of open space is less important than the provision of functional and visual ground-level open space. Successfully designed ground level open space should meet these objectives:*

- *Reinforces positive streetscape qualities by providing a landscaped front yard, adhering to common setback dimensions of neighboring properties, and providing a transition between public and private realms.*
- *Provides for the comfort, health, and recreation of residents.*
- *Increases privacy and reduce visual impacts to all neighboring properties.*

#### **A-8 Parking and Vehicle Access**

*Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.*

#### **A-10 Corner Lots**

*Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.*

***U-Community Guideline:*** *For new buildings located on a corner, including, but not limited to the corner locations identified in Map 3, consider providing special building elements distinguishable from the rest of the building such as a tower, corner articulation or bay windows. Consider a special site feature such as diagonal orientation and entry, a sculpture, a courtyard, or other device. Corner entries should be set back to allow pedestrian flow and good visibility at the intersection.*

*Gateways:*

- *25th Avenue NE and NE Blakeley Street*

#### **3/6/2006 Guidance – Site Planning**

Though Board members did not appear to favor an alternative vehicle access from 25<sup>th</sup> Ave NE, they requested that at least one alternative show proposed access from the site's east side, suggesting that ingress be shown from 25<sup>th</sup> and egress from Ravenna Pl.

The Board recognized that the proposed design locates the driveway next to the existing condominiums and could involve increased effects of noise and headlight glare to these neighbors. They welcomed "explicit mitigation" but did not provide further specifics. [DPD staff clarification – DPD limits required vehicle access to commercial uses to zones where such uses are allowed. Topography, traffic, and existing zoning appear to limit the alternative locations for such access.]

Board members strongly discouraged the location of a drive-through on the south corner. The updated design should feature a marquee here or some other combination of features that clearly calls attention to this corner.

### **8/21/2006 Recommendation – Site Planning**

Board members focused the majority of their deliberation on the proposed driveway as it relates to “respect for adjacent sites”. They understood the zoning, traffic, and site planning constraints that have caused the designers to locate the driveway in its proposed location, to the south of the existing five-unit residential condominium (5110 Ravenna Pl NE).

They considered whether it was appropriate to recommend that a second driveway be provided further to the north, as suggested by members of the public. A second driveway dedicated solely to residents would likely displace a percentage of cars currently focused on the one proposed driveway and reduce the volume of vehicle trips at this point. Some Board members considered a second driveway to be a preferable design choice. However, the Board and DPD staff concluded that, if DPD is to require dual driveway access, it should be in consideration of an identified environmental impact warranting this particular mitigation. If DPD’s environmental review results in such mitigation (i.e. provision of an additional driveway entrance), then the Design Review Board recommended that a further public meeting be held to further consider the updated project and to review any unforeseen design ramifications.

In relation to guidelines A5 and A8, the Board recommended that the driveway access be redesigned. The new design should set back to the south, approximately 5' more than currently shown. It should provide a vegetative screen, such as bamboo, that filters light while not entirely blocking it. There should be a low noise barrier along the driveway’s northern edge. The driveway ramp should be depressed to the greatest practical extent to further enhance the buffer between driveway traffic and adjacent residential windows.

## **B. Height, Bulk & Scale**

### **B-1 Height, Bulk and Scale Compatibility**

*Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.*

***U-Community Guideline:*** *Special attention should be paid to projects in the following areas to minimize impacts of increased height, bulk and scale as stated in the Citywide Design Guideline. These areas are also depicted in Map 4.*

- *West of 25th Avenue NE*

*Access to commercial parking on corner lots should be sited and designed in a manner that minimizes impact on adjacent residential uses.*

### **3/6/2006 Guidance – Height Bulk & Scale**

Board members recognized that 25<sup>th</sup> Ave NE is a long block front and that the updated design should demonstrate appropriate modulation.

Board members expressed doubts about a departure to allow for glassy “bridges” between the residential lowrise structures. They appreciated that the design team has an apparent track record with this expression, and they stipulated that such elements must be very “unbuilding-like”. The design intent should be for each “pod” to read as a discrete building.

**8/21/2006 Recommendation – Height Bulk & Scale**

The Board offered no additional comments in this regard.

**C. Architectural Elements and Materials**

**C-1 Architectural Context**

*New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.*

***U-Community Guideline:*** *For areas within Ravenna Urban Village, particularly along 25th Avenue NE, the style of architecture is not as important so long as it emphasizes pedestrian orientation and avoids large-scale, standardized and auto-oriented characteristics.*

*On Mixed Use Corridors, consider breaking up the façade into modules of not more than 50 feet (measured horizontally parallel to the street) on University Way and 100 feet on other corridors, corresponding to traditional platting and building construction. (Note: This should not be interpreted as a prescriptive requirement. Larger parcels may characterize some areas of the University Community, such as lower Roosevelt.)*

*Buildings in Lowrise zones should provide a “fine-grained” architectural character. The fine grain may be established by using building modulation, articulation and/or details which may refer to the modulation, articulation and/or details of adjacent buildings. To better relate to any established architectural character encountered within the community, consider the following building features:*

- *Pitched roof;*
- *Covered front porch;*
- *Vertically proportioned windows;*
- *Window trim and eave boards;*
- *Elements typical of common house forms.*

**C-2 Architectural Concept and Consistency**

*Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.*

*Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its façade walls.*

**C-3 Human Scale**

*The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.*

**C-4 Exterior Finish Materials**

*Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.*

***U-Community Guideline:*** *[Extensive – see the neighborhood guidelines document].*

## **C-5 Structured Parking Entrances**

*The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.*

### **3/6/2006 Guidance – Architectural Elements and Materials**

The Board welcomed brick as a primary material along the 25<sup>th</sup> Avenue corridor.

### **8/21/2006 Recommendation – Architectural Elements and Materials**

The Board recognized and applauded the extensive use of brick in the principal façades along 25<sup>th</sup> Ave NE. They also approved of the extensive canopies providing pedestrian overhead weather protection. They identified these features as a central consideration in their recommendation to approve the design.

## **D. Pedestrian Environment**

### **D-1 Pedestrian Open Spaces and Entrances**

*Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.*

***U-Community Guideline:*** *On Mixed Use Corridors, consider setting back a portion of the building to provide small pedestrian open spaces with seating amenities. The building façades along the open space must still be pedestrian-oriented. Pedestrian-oriented open spaces should meet the objectives below as well as the Citywide Design Guidelines. Required open space may be reduced up to 50% if a substantial amount of the street-level open space (on the order of at least 200 square feet), meets the following objectives:*

- Plazas should be centrally located, on major avenues, close to bus stops, or where there are strong pedestrian flows on neighboring sidewalks.*
- Plazas should be sensitively proportioned and designed. For example: not more than 60 feet across and no more than 3 feet above or below the sidewalk.*
- Plazas should have plenty of benches, steps, and ledges for seating. For example: at least one linear foot of seating per 30 square feet of plaza area should be provided; seating should have a minimum depth of 16 inches.*
- Locate the plaza in a sunny spot and encourage public art and other amenities. For example: at least 50% of the total frontage of building walls facing a plaza should be occupied by retail uses, street vendors, building entrances, or other pedestrian-oriented uses.*
- Provide plenty of planting beds for ground cover or shrubs. For example: one tree should be provided for every 200 square feet and at a maximum spacing of 25 feet apart. Special precaution must be taken to prevent trees from blocking the sun.*



#### **D-5 Visual Impacts of Parking Structures**

*The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.*

#### **D-7 Personal Safety and Security**

*Project design should consider opportunities for enhancing personal safety and security in the environment under review.*

#### **3/6/2006 Guidance – Pedestrian Environment**

The Board addressed 25<sup>th</sup> Ave NE's potential for creating a strong pedestrian scale. The sidewalk on this side should be widened and designed to buffer pedestrians from the adjacent traffic.

The design's floorplates should follow grade along 25<sup>th</sup> Ave more closely than currently shown, such as by breaking the floorplates or by overframing the post-tensioned slab to allow multiple at-grade entries. The intent of this guidance is to create a traditionally pedestrian scale in which several pedestrian oriented businesses can be accessed directly from the sidewalk.

For the recommendations meeting, Board members requested section drawings showing how floor levels relate to the adjacent sidewalk on 25<sup>th</sup> Ave NE.

On 24<sup>th</sup> Ave NE and Ravenna Pl, the pedestrian environment should be enhanced with space for parallel parked cars to create a buffer, as well as with a good, quality streetscape design, including street trees. The new Ravenna Creek artwork along this sidewalk should be a good starting point for further design improvements.

The Board recognized considerable public comment about pedestrian safety and heavy vehicular traffic volumes. The updated design should explore options for enhanced pedestrian crossings with features such as curb bulbs.

#### **8/21/2006 Recommendation – Pedestrian Environment**

The Board supported the design's southern plaza, and recommended that it be further enhanced with a low, permeable edge that more clearly delineates the space between the plaza and the sidewalk. They recommended that the architect further detail the proposed kiosk.

The existing artwork in the right of way is valued and should be maintained. The Board welcomed further enhancements, such as windows to the culverted Ravenna Creek, but they declined to recommend.

### **E. Landscaping**

#### **E-2 Landscaping to Enhance the Building and/or Site**

*Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.*

### **3/6/2006 Guidance – Landscaping**

At the recommendations meeting, the design team should present a colored landscape plan. Landscaping on the site's west side should complement this streetscape. If possible, the Board would welcome opportunities to enable visual access to the water to be channeled beneath the sidewalk.

### **8/21/2006 Recommendation – Landscaping**

The Board supported the overall landscape design, including the the central courtyard and the “pocket park” at 24<sup>th</sup> and Ravenna. They recommended further refinement of the rooftop open spaces on the site's east side. The design team should reorganize these spaces with potential views in mind, so that the proposed elevator penthouses don't entirely block southern views.

### **DPD Staff Comment**

Subsequent to the design recommendations meeting, the proponents met with DPD staff to discuss design responses that will meet Board recommendations. Prior to issuance of a Master Use Permit, updated plans shall address the outstanding recommendations.

The applicant submitted updated plans on February 20, 2007. Design illustrations presented at Recommendations included a landscaped area to the south of the proposed driveway, which created a defined edge and buffer for an adjoining pedestrian plaza, and the plaza acted as an extension to the sidewalk. In proposed updates, the landscaped area is replaced with a commercial load-unload space, accessed via the driveway. The loading area is located between the building and the sidewalk

Updates do not appear to address the Design Review Board's recommendation to modify the driveway design.

Prior to issuance, the applicant shall update plans to show:

- a landscape buffer and pedestrian-oriented space that substantially resemble drawings presented to the Design Review Board in August, 2007;
- a driveway access that adheres to Design Review Board recommendations;
- a “low, permeable edge that more clearly delineates the space between the plaza and the sidewalk”, in accordance with the Design Review Board's recommendation;
- a note on sheets A1.1 through A1.4 stating, “For the life of the project, owner(s) and/or responsible party(ies) shall physically maintain at least eleven (11) distinct commercial entries along the commercially zoned frontage.”

All updates are subject to approval by the assigned Land Use Planner. See Condition #2.

The DRB recommended that the applicant provide further detailed drawings of the kiosk proposed at the southern pedestrian plaza. The applicant has since identified a preference for an unspecified “art feature” at this location. DPD conditions the project to require the design of an art feature, subject to approval by the assigned DPD planner, to be installed at the corner of 25th Ave NE and NE Blakely, subject to approval by the Seattle Department of Transportation (SDoT) Street Use group.

As proposed, the project would require a commercial loading berth per SMC [23.54.035](#), which must be located on commercially zoned land. Options for incorporating such a space include an enclosed berth, either in the proposed garage or in a separate space with its own driveway, or an unenclosed berth located on private property. The requirement is a function of total retail space proposed on the site – approximately 23,000 sq. ft – and does not otherwise account for the number or distribution of retail businesses on the site. The design features several smaller retail spaces scaled for pedestrian access and use, which are not likely to involve substantial deliveries common to larger retail businesses. More commonly, goods are likely to arrive in smaller vans, and deliveries are likely to occur through the parking garage or from the curb on 25<sup>th</sup> Ave NE.

The Design Review Board did not explicitly grant a departure related to loading berth standards. Board members did consider in detail the southwestern portion of the site, particularly as it related to the proposed driveway access. Their stated recommendation was to diminish the driveway's visual dominance and to soften its effect on neighbors and the adjoining sidewalk. They further supported the design's attention to the pedestrian retail experience along 25<sup>th</sup>. Considering the Board's analysis and recommendations, it is reasonable to conclude that Board members would not have supported available alternatives to design a conforming loading berth – either outdoors and adjacent to the sidewalk and driveway on Ravenna Pl NE, or indoors via a substantially more dominant garage entry.

In consideration of the Board's design input, DPD determines a smaller loading berth to be suited to the proposed uses and appropriate to the quality of the overall design. As designed, the project provides for eleven distinct commercial spaces. Some spaces are divided by demising walls, but the majority are prescribed by topography or structural limits, and cannot be combined. In order to address the Board's design input and to further address the apparent intent of the loading berth standard, DPD conditions the project to promote the long-term retention of these small-scale business spaces. For the life of the project, the owner(s) and/or responsible party(ies) shall maintain at least eleven distinct commercial entries, to allow for small-scale commercial tenants as envisioned in the design process. No fewer than nine doors shall be operable. At any time, no more than two of the eleven doors may be removed and the doorways filled with storefront glazing, so long as doors may be easily reinstalled. See Conditions #3 and 8. As conditioned, the design better meets the intent of the neighborhood design guidelines, it provides for tenant flexibility, it addresses the intent of the loading berth development standard, and it abides by the spirit of the DRB's review.

The Design Review Board identified bulbing of the sidewalk at 24<sup>th</sup> and Ravenna Pl NE as a priority, and the updated drawings shown at Recommendations present a curb bulb as an amenity integral to the approved design. This feature is therefore required. See Condition #7.

### **DECISION – DESIGN REVIEW**

The Director concurs with the recommendations of the Northeast Seattle Design Review Board, delivered August 21, 2006. DPD approves the design as proposed, subject to conditions listed at the end of this report.

DPD therefore **CONDITIONALLY APPROVES** the project's Design Review component and the requested departure for structure width & depth, side setbacks, maximum lot coverage, residential lot coverage, and loading berth standards, all subject to the conditions listed at the end of this report.

**Summary of Departures from Development Standards**

The applicant requested departures from the following Land Use Code development standards:

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board recommendation</i>
SMC <a href="#">23.47.008 D</a> , <b>residential lot coverage</b> . Above the first level in commercial zones, maximum coverage is 64%. 29,416 sq.ft. otherwise allowed.	On the NC2-30 portion of the site, the design provides residential lot coverage of 36,385 sq.ft. (79.2%). 6,969 sq.ft. or 23.7% more than otherwise allowed.	<ul style="list-style-type: none"> <li>● Per land use code, the proposed development is one building. The site has two different zoning designations, with a zone split unrelated to topography or existing parcel lines.</li> <li>● Not including the parking garage's exposed top deck, the overall lot coverage is 60.9%, which approximates residential coverage otherwise allowed across the site.</li> <li>● The proposed distribution of apartments in the commercial zone allows for an efficient use of the central courtyard as open space.</li> </ul>	The Board agreed with the rationale as presented and recommended that DPD grant the proposed departure.
SMC <a href="#">23.45.010</a> , in L4 zones, maximum <b>lot coverage</b> is 50%. 33,366 sq.ft. otherwise allowed.	The design's above-grade structure covers 60.9% of the site's L4-zoned portion. 7,294 sq.ft. or 21.9% more than otherwise allowed.	<ul style="list-style-type: none"> <li>● Due to the site's unusual topography, portions of the parking deck beneath the central courtyard technically count toward lot coverage.</li> <li>● The proposed apartments on the site's west side otherwise cover 48.3% of the site's L4-zoned portion.</li> <li>● The raised garage is internal to the project, maintains a courtyard between the buildings, and is relatively level for elderly users.</li> </ul>	The Board recognized that the above-grade portion of the parking level is effectively a reestablished interior grade for a large site. In terms of its overall massing, the design appears to meet the intent of the lot coverage standard and guideline B1. The Board recommended that DPD grant the proposed departure.
SMC <a href="#">23.45.011</a> , <b>structure width / depth</b> . Max building width shall not exceed 90'. Max building depth shall not exceed 65% of the L4-zoned lot depth, or 109.2'	The design presents a structure width of 433.7' and a structure depth of 163.7'.	<ul style="list-style-type: none"> <li>● Individual building "pods" on the site's west side will be connected at all levels by glassy "bridges". Each pod will be expressed as its own structure no wider than 90'.</li> <li>● A portion of the common parking garage extends above existing grade, such that the entire L4 portion is technically considered to be a single structure.</li> <li>● The design's residential structures meet the code intent and do not exceed depths of 82' (48.8%) in the site's L4-zoned portion.</li> </ul>	The Board recognized the Code constraints and stated that the design appears to meet guideline B1 and the intent of the structure width/depth standards. The Board recommended that DPD grant the proposed departure.

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>Board recommendation</i>
SMC <a href="#">23.45.014 C</a> , <b>side setbacks</b> . The required side setback is shown in <a href="#">table 23.45.014 A</a> : 23' in this case.	Along NE 54 <sup>th</sup> St, the design provides an average side setback of 11.6' (11.4' less than otherwise required). Along the south property line adjacent to the existing condominium, the design provides an average 8' side setback (15' less than otherwise required). Adjacent to the neighbors' parking level, the design provides a 1' setback between the east property and the garage wall (22' less than otherwise required).	<ul style="list-style-type: none"> <li>• The side setback is a function of structure depth and façade height. As discussed previously, above-grade portions of the parking garage cause this design to be technically much deeper than is otherwise apparent.</li> <li>• Along NE 54th St. the side setback conforms with the requirement for buildings 37' high and 82' deep.</li> <li>• Along the south property line, the setback is measured along a garage wall rising 5' above grade. The design's residential units are an average 20' from the south property line, 10' minimum</li> <li>• The east wall is 1' from the adjacent property line, adjacent to the neighboring parking level. This portion of the site might otherwise be an open driveway. A wall here buffers the neighbor against vehicle noise, and provides for usable open space in the courtyard deck above.</li> </ul>	<p>The Board recognized the unusual site and Code conditions related to a unified structure that is to be perceived as several distinct structures.</p> <p>They stated that the design appears to meet guideline B1 and will likely meet guideline A5 (respect for adjacent sites) in light of design recommendations for the proposed driveway. In consideration of these measures, the remaining adjacencies appear to be appropriately designed. DPD therefore grants the requested departure.</p>

DPD conditionally grants the departures as reviewed and recommended by the Design Review Board. Further, DPD considers the following requested departure:

<i>Requirement</i>	<i>Proposed</i>	<i>Comments</i>	<i>DPD analysis</i>
SMC <a href="#">23.54.035</a> , <b>loading berth standards</b> . One commercial loading berth is required.	A loading space appropriate for a delivery van, 19' long by 8' wide.	<ul style="list-style-type: none"> <li>• Options for such a space include an enclosed berth, either in the garage or in a separate space with its own driveway, or an unenclosed berth located on private property.</li> <li>• The design features several smaller retail spaces scaled for pedestrian access and use, which are not likely to involve substantial deliveries common to larger retail businesses.</li> <li>• The DRB's stated recommendation was to diminish the driveway's visual dominance and to soften its effect on neighbors and the adjoining sidewalk. They further supported the design's attention to the pedestrian retail experience along 25<sup>th</sup>.</li> </ul>	<p>The DRB did not explicitly consider a departure related to loading berth standards. Board members did consider in detail the southwestern portion of the site, particularly as it related to the proposed driveway access. Considering the Board's related analysis and recommendations, DPD considers the requested departure to be permissible.</p>

## **ANALYSIS – SEPA**

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist submitted June 16, 2006. The applicant also provided a traffic analysis consisting of five memoranda prepared by William Popp Associates, and dated March 29, April 5, September 7, September 22, and October 9, 2006.

DPD conducted a SEPA public meeting on September 14, 2006, at the Blakeley Manor, 2401 NE Blakeley St. At the meeting, neighbor comments focused extensively on existing vehicle traffic and pedestrian safety concerns, particularly as they relate to senior residents. Other comments addressed loss of existing housing, light and noise pollution, and construction impacts, including dust, noise, and vermin. DPD received several letters and emails from neighbors, focusing primarily on possible traffic impacts and design considerations for the adjacent existing townhomes. To a lesser extent, comments addressed existing and needed open space in the vicinity. The checklist and the experience of the lead agency in similar situations form the basis for this analysis and decision. This report anticipates short and long-term adverse impacts from the proposal.

The SEPA Overview Policy (SMC [25.05.665 D](#)) states “where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”, subject to limitations. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Drainage, and Erosion Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the rights-of-way during construction, construction along the street right-of-way, and sidewalk repair); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of potential adverse impacts. More detailed discussion of some short and long term impacts is appropriate.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during construction and demolition; potential soil erosion during grading, excavation and general site work; increased runoff; tracking of mud onto adjacent streets by construction vehicles; increased demand on traffic and parking from construction equipment and personnel; conflict with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section [25.05.794](#)). Although not significant, these impacts are adverse.

Other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation.

**Air quality, environmental health.** The existing structures on the site may contain asbestos, which could be released into the air during demolition. The [Puget Sound Clean Air Agency](#), the Washington Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. In addition, federal law requires the filing of a demolition permit with PSCAA prior to demolition. Pursuant to SMC Sections [25.05.675 A](#) and [F](#), to



mitigate potential adverse air quality and environmental health impacts, project approval will be conditioned upon submission of a copy of the PSCAA “notice of intent to demolish” prior to issuance of a DPD demolition permit. See Condition #9. So conditioned, the project’s anticipated adverse air and environmental health impacts will be adequately mitigated.

**Construction impacts.** At the SEPA public meeting in September, 2006, DPD heard comments related to rodent infestations on the existing site, and the potential impact to the surrounding neighborhood during demolition. Neighbors pointed out that demolition on this large site would likely cause rats to disperse from the site, into the surrounding neighborhood. Subsequent comment letters raised similar concerns. DPD staff contacted the Seattle/King County Department of Public Health (DPH), Environmental Health Services Division to discuss these concerns. Considering site conditions, DPH considered neighbors’ concerns to be warranted, and recommended that pest abatement be conducted two to three weeks prior to demolition, per King County Board of Health Rules and Regulations [06-01](#), Title 17. Pursuant to SMC [25.05.675 B2b](#), DPD therefore conditions the project to require preparation and implementation of a pest control plan by a licensed pest control operator, subject to approval by King County Public Health (contact Charles Woo 205-4397). See Condition #10.

**Construction vehicles.** Existing City code (SMC [11.62](#)) requires truck activities to use arterial streets to every extent possible. The subject site abuts 25th Avenue NE and Ravenna Pl NE, both arterials, and traffic impacts resulting from the truck traffic associated with grading will be of short duration and mitigated in part by enforcement of SMC [11.62](#). This immediate area is subject to traffic congestion during the PM peak hours, and large trucks turning onto arterial streets would further exacerbate the flow of traffic. Pursuant to SMC [25.05.675 B](#) (Construction Impacts Policy) and SMC [25.05.675 R](#) (Traffic and Transportation) additional mitigation is warranted.

The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other building materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations. Assuming contractors use single loaded trucks to remove excavation material, each truck holds approximately 10 cubic yards of material, requiring approximately 2,500 truckloads to remove the estimated 25,000 cubic yards of excavated material.

For the duration of the grading activity, the applicant(s) and/or responsible party(ies) shall cause grading truck trips to cease during the hours between 4 PM and 6 PM on weekdays. This condition will assure that truck trips do not interfere with daily PM peak traffic in the vicinity (see Condition #13). As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of SMC [11.62](#).

City code (SMC [11.74](#)) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimizes the amount of spilled material and dust from the truck bed en route to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

**Construction noise.** Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential uses. Due to the proximity of the project site to the residential uses, DPD finds the limitations of the Noise Ordinance to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC [25.05.665](#)) and the SEPA Construction Impacts Policy (SMC [25.05.675 B](#)), mitigation is warranted.

All construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this construction. See Conditions #11, #12 and Table 1 below.

The project team has the option to submit for review and approval a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

So conditioned, no further mitigation is warranted in this regard.

**Parking.** Short-term parking impacts involve additional parking demand generated by construction personnel and equipment. The applicant has provided limited information related to short-term construction related parking impacts on the vicinity. During early stages of construction, workers are likely to park on nearby streets. However, DPD staff conducted various drive-by site visits, which indicate that weekday parking utilization in the area is not at capacity, and construction-related parking is not likely to exceed capacity. DPD also anticipates that workers will park on the site once the parking area is completed. DPD therefore determines that construction-related parking does not constitute an impact warranting mitigation.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased bulk and scale on the site; increased traffic and parking demand by residents, customers and employees; minor increase in airborne emissions resulting from additional traffic; minor increase in ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption.

The expected long-term impacts are typical of low-density commercial development and are expected to be mitigated by the City's adopted codes and/or ordinances (together with fulfillment of Seattle Department of Transportation requirements). Specifically these are: the Stormwater, Drainage, and Erosion Control Code (storm water runoff and site dewatering); the Land Use Code (aesthetic impacts, light and glare, height, setbacks, parking); and the Seattle Energy Code (long-term energy consumption).

**Parking.** The Seattle SEPA policy for parking impacts (SMC [25.05.675 M](#)) provides authority to mitigate parking impacts of development when on-street parking is at capacity as defined by

the Seattle Department of Transportation or where the development itself would cause on-street parking to reach capacity as so defined.

The proposed project incorporates 255 parking spaces, substantially more parking than would otherwise be required by the Land Use Code. The submitted traffic analysis concludes that on-site parking exceeds the likely peak weekday parking demand by about 20%. No further mitigation is therefore warranted.

**Traffic.** The project's traffic analysis consists of several memos submitted by William Popp Associates, and dated March 29, April 5, September 7, September 22, and October 9, 2006. Updates have responded to changes in project scope and requests for additional information.

DPD conducted a SEPA public meeting on September 14, 2006. William Popp, Jr. presented a visual traffic model, which simulated conditions in the surrounding vicinity. Members of the public viewed the model and commented that it did not accurately represent existing conditions. Public comment also focused on potential impacts of a single driveway access to the parking garage, proposed to be located immediately to the south of an existing residential condominium. Based in part on public feedback, William Popp Associates conducted an expanded survey of existing trips and likely trips.

The analysis concludes that the project is likely to generate less traffic overall than the site's existing residences and businesses have generated. It further concludes that the project is not likely to have a significant adverse effect on Level of Service (LOS) of nearby intersections, and that vehicle queuing in the project's driveway is not likely to be substantial, even at peak hours.

Other concerns related to the driveway (vehicle noise, odors, spillage from headlights) have been appropriately addressed through Design Review and subsequent conditioning and/or updates to plans.

Members of the public commented on difficult pedestrian crossings in the vicinity, particularly in relation to heavy traffic conditions along Ravenna Pl NE and 25<sup>th</sup> Ave NE. The proposal involves maintenance or replacement of all existing sidewalks, and installation of a curb bulb at the corner of 24<sup>th</sup> Ave NE and Ravenna Pl. Compared with existing conditions, the project should have no adverse effects on pedestrian safety.

DPD therefore concludes that no mitigation for traffic is warranted.

**Other Impacts.** The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. DPD has determined that this proposal does not have a significant adverse impact upon the environment. An EIS is not required under RCW [43.21C.030\(2\)\(C\)](#).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW [43.21C.030 \(2\)\(C\)](#).

### **DESIGN REVIEW CONDITIONS**

The following Design Review conditions 1, 4 and 5 are not subject to appeal.

#### Prior to Issuance of the Master Use Permit

1. **Update plans and provide color drawings.** The applicant shall update the Master Use Permit plans to reflect the recommendations and conditions of this decision. The applicant shall embed conditions and colored landscape and elevation drawings into updated Master Use Permit and all building permit sets.
2. The applicant shall update plans to show:
  - a landscape buffer and pedestrian-oriented space to the south of the proposed driveway that substantially resembles drawings presented to the Design Review Board in August, 2007;
  - an updated driveway access in accordance with the Design Review Board's recommendations;
  - a "low, permeable edge that more clearly delineates the space between the plaza and the sidewalk", in accordance with the Design Review Board's recommendation;All updates are subject to approval by the assigned Land Use Planner.
3. The applicant shall update plans to show a note on sheets A1.1 through A1.4 stating, "For the life of the project, owner(s) and/or responsible party(ies) shall physically maintain at least eleven (11) distinct commercial entries along the commercially zoned frontage. No fewer than nine (9) doors shall be operable. At any time, no more than two (2) of the eleven doors may be removed and the doorways filled with storefront glazing, so long as doors may be easily reinstalled."

#### Prior to and/or During Construction

4. **Design changes.** Any changes to the exterior façades of the building, signage, and landscaping shown in the building permit must involve the express approval of the assigned DPD Planner (Scott Ringgold, 233-3856) prior to construction.

#### Prior to Issuance of the Certificate of Occupancy

5. **Design review inspection.** Compliance with the approved design features and elements, including exterior materials, roof pitches, façade colors, landscaping and right of way improvements, shall be verified by the DPD planner assigned to this project (Scott Ringgold, 233-3856) or by the Design Review Manager. The applicant(s) and/or responsible party(ies) must arrange an appointment with the Land Use Planner at least (3) working days prior to the required inspection.

6. **Art feature.** The owner(s) and/or responsible party(ies) shall commission the design of an art feature, subject to approval by the assigned DPD planner, and install it at the corner of 25th Ave NE and NE Blakely, subject to approval by the Seattle Department of Transportation (SDOT) street use group.

For the Life of the Project

7. The Design Review Board identified **bulbing** of the sidewalk at 24<sup>th</sup> and Ravenna Pl NE as a priority, and the updated drawings shown at Recommendations present a curb bulb as an amenity integral to the approved design. This feature is therefore required.
8. The Design Review Board identified **multiple retail entries** along 25<sup>th</sup> as a high priority, and an amenity integral to the approved design. The owner(s) and/or responsible party(ies) shall physically maintain at least eleven distinct commercial entries. No fewer than nine doors shall be operable. At any time, no more than two of the eleven doors may be removed and the doorways filled with storefront glazing, so long as doors may be easily reinstalled.

**CONDITIONS – SEPA**

Prior to Issuance of the Master Use Permit

None.

Prior to Issuance of any Permit to Demolish or Construct

9. **Air.** The owner(s) and/or responsible party(ies) shall submit a copy of the PSCAA “Notice of Intent to Demolish” prior to issuance of a demolition permit.
10. The owner(s) and/or responsible party(ies) shall submit for DPD review a **pest control plan**, to be implemented at least two (2) weeks prior to demolition and issuance of a demolition permit. The pest control plan shall be prepared by a licensed pest control operator, and is subject to approval by King County Public Health (contact Charles Woo 205-4397).
11. The applicant(s) or responsible party(ies) have the option to submit for review and approval a **Construction Noise Management Plan** to address mitigation of noise impacts resulting from all construction activities. Such a Plan shall include discussion of management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise.

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

12. **Noise.** Unless otherwise modified in an approved Construction Impact Management Plan (see condition 11), all construction activities are subject to the limitations of the Noise Ordinance, SMC [25.08](#). Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>2</sup> from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, and weather protection shall not be limited by this condition. If an approved Construction Noise Management Plan modifies this condition, the applicant(s) and/or responsible party(ies) shall make the Plan publicly available at the construction site office.

Non-holiday work hours							
	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
7:00 am							
8:00							
9:00							
10:00							
11:00							
12:00 pm							
1:00							
2:00							
3:00							
4:00							
5:00							
6:00							
7:00							
8:00							

**Table 1.** Non-holiday work hours. Unshaded work hours shown above are permitted outright. For certain work, it is possible to request DPD approval for additional hours shaded in gray.

13. For the duration of grading activity, the owner(s) and/or responsible party(ies) shall cause grading truck trips to and from the project site to cease during the hours between 4 PM and 6 PM on weekdays.

Signature: \_\_\_\_\_ (signature on file) Date: May 7, 2007  
 Scott A. Ringgold, Land Use Planner  
 Department of Planning and Development

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<sup>2</sup> Holidays recognized by the City of Seattle are listed on the City website, <http://www.seattle.gov/personnel/services/holidays.asp>